

350 CMR: DEPARTMENT OF CONSERVATION AND RECREATION

350 CMR 8.00: LAND WITHIN WATERSHED RESERVATIONS

Section

8.01: Definitions

8.02: Deer Management Program in the Quabbin Reservoir Area

8.01: Definitions

The following words and phrases, when used in 350 CMR 8.00, shall have the meanings respectively ascribed to them herein except in those instances where the context clearly indicates a different meaning or is otherwise stated.

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Whenever any words or phrases used in 350 CMR 8.00 are not defined herein, such word or phrase shall be construed according to its generally accepted meaning as noted in a dictionary of general usage.

Commissioner means the Commissioner of the Massachusetts Department of Conservation and Recreation ("DCR") or his or her designee.

DCR or the Department means the Department of Conservation and Recreation.

DWSP or the Division means the Division of Water Supply Protection within the Department of Conservation and Recreation.

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8.02: Deer Management Program in the Quabbin Reservoir Area

(1) Hunting of white-tailed deer shall be allowed in specified sections of the Quabbin Reservoir Area by those persons holding a use permit issued by the ~~Commission~~ Division or its designee for a controlled deer hunt conducted in conjunction with the ~~Commission's Division's~~ Deer Management Program. All persons to whom such a use permit has been issued are also required to have a valid Massachusetts hunting license issued by the Division of Fisheries and Wildlife.

(2) The use permit will specify the hunting season, the time of day, and the designated location for hunting. Certain sensitive areas shall be designated off limits to permittees. Access to the hunting areas shall be by use permit only and shall be for the season, time and designated location only.

(3) No hunting is allowed within direct view of the Quabbin Reservoir shoreline, or within 500 feet of any building, or in other areas posted as no hunt zones. Shooting or injury of any bird or animal species other than white-tailed deer is strictly prohibited.

(4) 321 CMR 3.00 applies to ~~MDC~~ the Division's controlled hunt programs. In the Division's controlled hunts, ~~t~~ The use of buck shot is prohibited and firearms shall be limited to shotguns only. No cutting of branches, trees or shrubs, or nailing of trees is allowed. All deer carcasses shall be brought to a check station, tagged, and concealed from view before being transported outside of ~~Commission~~ DCR property. In the event of a conflict, 350 CMR 8.00 takes precedence over 321 CMR 3.00.

(5) No litter or refuse of any sort may be thrown or left in or on any land or water within the Quabbin Reservoir Area. Sanitary facilities provided for public use shall be the only locations used for such purposes. No deer parts shall be disposed of within 100 feet of any brook, stream, wetland or other water body. All acts which may pollute the water supply are strictly prohibited. Permittees must obey all other promulgated Rules and Regulations of the ~~Commission~~ Division while on ~~MDC~~ Division lands.

(6) All public access, whether pedestrian or by motor vehicle, is restricted to paths and roads specifically designated for use during the hunting season. All vehicle parking must be in designated areas only.

(7) All persons within the Quabbin Reservoir Area shall obey the directions of regulatory signs, instructions contained on the use permit, and directions of police officers, ~~Watershed~~ Division employees, environmental police officers, DCR rangers and other enforcement officers.

(8) Controlled hunt ~~The selection of participants in the program shall be randomly selected from the pool of applicants accomplished.~~ Once selected, applicants must attend a training session and certify that they have not violated M.G.L. c.131 (Massachusetts Fisheries and Game laws) or M.G.L. c.92A 1/2 (Division of Water Supply Protection, Watershed Management) ~~Metropolitan District Commission~~ within the past five years, and pay all requisite fees, including a non-refundable \$5.00 application fee, in order to participate in the hunting program. Use permits are valid only for the person named in the permit and for the period specified.

(9) Any person who violates or refuses to comply with any provision of 350 CMR 8.00 may be subject to immediate revocation of the permit, a criminal fine or imprisonment.

(10) The provisions of 350 CMR 8.00 are severable, and if any of them ~~are~~ is held to be invalid for any reason or under any circumstance, such holding shall not affect any other rule or regulation.

REGULATORY AUTHORITY

350 CMR 8.00: M.G.L. c. ~~92, §§ 10 through 19~~ 2A1/2 §§2, 19; c. 92, §§ 104 through 120;

St. 1972, c. 737; St. 1990, c. 436.